

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON

YESENIA PACHECO, LUIS LEMUS, and
S.L.P., minor child, by and through her
Guardian ad Litem, Brian Comfort,,

Plaintiff,

vs.

UNITED STATES OF AMERICA,,

Defendant.

No. 2:15-cv-01175

STIPULATION AND ORDER TO
CONTINUE TRIAL DATE

STIPULATION

COME NOW the parties, and respectfully agree and request that the Court continue the trial in this matter until June 25, 2019 and the pretrial deadlines accordingly. In particular, the parties request and agree that the deadline for expert disclosures under FRCP 26(a)(2) be January 11, 2019, and the discovery deadline be February 25, 2019. **Other pretrial deadlines, for example, deadlines for a settlement conference and dispositive motions, should be extended as well.** The reason for the stipulated motion is that the minor SLP has a newly disclosed medical condition which warrants further investigation.

Currently, pursuant to the Minute Order Setting Trial Dates and Related Dates, this matter is set for trial on May 6, 2019. Disclosure of expert testimony under FRCP 26(a) (2) is due

STIPULATION AND ORDER TO
CONTINUE TRIAL DATE - 1



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1 by November 21, 2018. Discovery must be completed by January 22, 2019. See Docket Order No.
2 53.

3 Since this case was filed, both parties have worked cooperatively in the discovery
4 process. However, as the court will recall from earlier motions, SLP's complex medical condition
5 could not be investigated until after her sixth birthday, which took place in August 2018. Despite
6 good faith efforts, the parties anticipate that the reports from their respective experts will not be
7 completed in time to meet the current deadline of November 21, 2018. The parties further anticipate
8 that discovery, including the depositions of respective experts, will not be completed in time to meet
9 the current discovery deadline of January 22, 2019.
10

11 A continuance of trial and associated deadlines is warranted under these circumstances.
12 Accordingly, the parties agree and respectfully request that the Court order this extension of the trial
13 **and associated pretrial deadlines.**
14

15
16 DATED this ____ day of November, 2018.

17 Respectfully submitted,
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14 ORDER

15 Pursuant to the foregoing Stipulation, it is hereby ORDERED that the trial in this
16 matter shall be continued to June 25, 2019, and the deadline for the disclosure of expert witnesses
17 is extended from November 21, 2018 to January 6, 2019 (rebuttal reports due 30 days thereafter)
18 and discovery also is extended from January 22, 2019 to February 25, 2019. **All other pretrial**
19 **deadlines, including the deadlines for a settlement conference and dispositive motions, are also**
20 **extended.**

21 Dated this ____ day of _____, 2018

22 _____
23 ROBERT S. LASNIK
24 UNITED STATES DISTRICT COURT JUDGE
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